

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKWILLIAM A. GROSS CONSTRUCTION
ASSOCIATES, INC.,

Plaintiff,

-against-

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Defendant.

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Third-Party Plaintiff,

-against-

CAULDWELL-WINGATE COMPANY, LLC,

Third-Party Defendant.

CAULDWELL WINGATE COMPANY, LLC,

Fourth-Party Plaintiff,

-against-

DORMITORY AUTHORITY – STATE OF
NEW YORK,

Fourth-Party Defendant.

INITIAL DISCLOSURE
PURSUANT TO
FRCP 26(a)(1)

Third-Party Defendant/Fourth-Party Plaintiff Cauldwell Wingate Company, LLC

(“Cauldwell Wingate”), by its attorneys, Ingram Yuzek Gainen Carroll & Bertolotti, LLP, makes the following disclosure pursuant to FRCP Rule 26(a)(1):

I. Identification of Individuals Likely to Have Knowledge of Disputed Facts:

Cauldwell-Wingate expects that its defense of the third-party action and prosecution of the fourth-party action may require evidence from a number of individuals, including those listed below. Cauldwell-Wingate reserves the right to supplement this list as discovery warrants.

A. Cauldwell-Wingate
380 Lexington Avenue
New York, NY 10168
212-983-7150

- Cliff Aikens
- Paul De Simone
- John Eschenmuller
- Alan Haines
- Chris Hargrove
- Susan L. Hayes
- Steve Jureller
- Abraham LaFleur
- John Moore
- Patrick O'Connell
- Christopher Shaw

B. Dormitory Authority State of New York
515 Broadway
Albany, NY 12207-2964
518-257-3000

- John Andrus
- E. Bianchi
- John DeMase
- James B. Hall

- Paul LaJoy
- Daniel Loparco
- Thomas J. Michon
- Wayne Morse
- V. Osunfisan
- H. Otero

C. **Bovis Lend Lease LMB, Inc.**

200 Park Avenue
New York, NY 10168

- James Abadie
- Bob Benziger
- Victor Cocucci
- Brett Dahlia
- Eric Fauerbach
- Sean Gioffre
- John Huvane
- Mike Kelz
- David Levy
- Ted Musho
- Dennis Prude
- Bernard Toscano

D. Hill International, Inc.

One Penn Plaza – Suite 3415
New York, NY 10119
212-244-3700

- Hosney Abdelgamil
- Mike Bailey
- James Grundhoffer
- John Milano
- Marc Zaretsky

E. Rafael Viñoly Architects PC

50 Vandam Street
New York, NY 10013
212-924-5060

- John Chu
- Scott Hollas

F. William A. Gross Construction Associates, Inc.

116 South Fourth Street
New Hyde Park, NY 11040
561-437-0909

- William A. Gross
- Terry Ramnath
- Steve Rizzo

G. Flood Testing Laboratories, Inc.

1945 E. 87th Street
Chicago, IL 60617
773-721-2200

- Robert Alan Hay III

H. Gilsanz Murray Steficek LLP

129 West 27th St.
New York, NY 10001
212-254-0030

- Ramon Gilsanz

I. CCS Associates, Inc.

50 Bethpage Road
Hicksville, NY 11801
516-997-5100

- Steven M. Goodman

J. Navigant Consulting

1717 Arch Street – Suite 4800
Philadelphia, PA 19103

- Frank Gatlin

In addition, Cauldwell Wingate anticipates that it will require evidence from certain principals and/or employees of its various subcontractors and of the mechanical engineers, Flack + Kurtz, 475 Fifth Avenue, New York, NY 10017, 212-532-9600.

II. Documents Relevant to Disputed Facts:

Cauldwell Wingate expects to rely on various documents associated with the Bronx County Courthouse, including contracts, subcontracts, project drawings, change orders, requests for information, and punch lists, as well as correspondence, including e-mails.

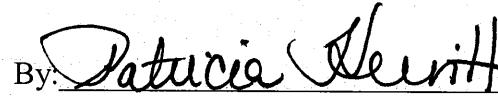
The documents in Cauldwell-Wingate's possession will be available for inspection and copying, at the offices of the undersigned counsel, at a mutually-convenient time.

III. Computation of Damages Claimed by Disclosing Party:

Cauldwell-Wingate is seeking a total of \$25.4 million in its fourth-party action against DASNY. A computation of each category of damages accounting for this total is included in the fourth-party complaint.

Dated: New York, New York
April 3, 2008

INGRAM YUZEK GAINEN CARROLL &
BERTOLOTTI, LLP

By 

Larry F. Gainen (LG-9351)
Patricia Hewitt (PH-7769)

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Party Plaintiff Cauldwell Wingate
Company, LLC
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